

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 7, 2014**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
Janyce N. Hedetniemi, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: None.

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The meeting was called to order at 8:15 p.m. by Chairman Peter F. Murphy in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

2014 ZONING ORDINANCE WORK PROGRAM

Commissioner Lawrence: Tonight, the Planning Commission's Committee on Policy and Procedures met to consider the proposed Zoning Ordinance Work Program for 2014, and the Committee agreed with what staff has presented; therefore, Mr. Chairman I have a motion to make. I MOVE THAT THE PLANNING COMMISSION SUPPORT AND FORWARD TO THE BOARD OF SUPERVISORS THE PROPOSED 2014 ZONING ORDINANCE AMENDMENT WORK PROGRAM, AS DELINEATED IN THE MEMORANDUM FROM THE ZONING ADMINISTRATOR, DATED MAY 1ST, 2014.

Commissioner Flanagan: Seconded.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of the motion? All those in favor of the motion to accept and recommend to the Board of Supervisors the recommendation of the Policy and Procedures Committee, as articulated by Mr. Lawrence, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Sargeant was not present for the vote.

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Commissioner Hart announced that the Planning Commission's Environment Committee would meet at 7:00 p.m. in the Fairfax County Government Center on the following dates:

- Thursday, May 8, 2014, in Conference Rooms 9/10 (Workshop on White Paper concerning EV Charging Station Infrastructure)
- Wednesday, June 18, 2014, in the Board Conference Room (Discussion on building energy technology recommendations)
- Thursday, July 10, 2014, in the Board Conference Room (Presentation from staff concerning the Noise Ordinance)

In Addition, Commissioner Hart noted that two public meetings were scheduled as follows and would cover the following topics: 1) Overall concerning the Noise Ordinance and, 2) a new use, "Group Assembly in Conjunction with a Dwelling." All Meetings would run from 7:00 to 9:00 pm.

- Monday, May 12, 2014, in the Board Auditorium of the Fairfax County Government Center
- Monday, May 19, 2014, at the Lemon Road Elementary School Cafeteria (7230 Idylwood Road, Falls Church)

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Commissioner Lawrence announced that the Commission's Tysons Corner Committee would meet on Wednesday, May 14, 2014, at 7:00 p.m., in the Board Conference Room of the Fairfax County Government Center to continue the discussion on Part 1 of the Amendment to the Tysons Plan.

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FS-M14-3 – VERIZON WIRELESS, 6129 Leesburg Pike

Commissioner Hall: It's "feature shown" night in Mason District. The first one is FS-M14-3, Verizon Wireless, 6129 Leesburg Pike, Falls Church, Virginia, 22041, 61-1 ((1)) 11, in Mason District. I RECOMMEND THAT THE PLANNING COMMISSION CONCUR WITH THE DIRECTOR OF PLANNING AND ZONING DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY VERIZON WIRELESS AND LOCATED AT 6129 LEESBURG PIKE IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN," PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion to concur with the “feature shown” determination in FS-M14-3, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Sargeant was not present for the vote.

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FS-M14-4 – VERIZON WIRELESS, 5601 Seminary Road

Commissioner Hall: The subject is “feature shown” FS-M14-4, Verizon Wireless. The location is Claremont South Skyline (Skyline Towers), located at 5601 Seminary Road, Falls Church, Virginia, 22041. The map designation is 62-3 ((1)) 31. I RECOMMEND THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION OF THE DIRECTOR OF PLANNING AND ZONING THAT THE PROPOSED facilities to be located – TELECOMMUNICATION FACILITY COLLOCATION PROPOSED BY VERIZON FOR SKYLINE TOWERS APARTMENT COMPLEX, THE SOUTH TOWER, WHICH IS 5601 SEMINARY ROAD IN FALLS CHURCH, 22041, IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A “FEATURE SHOWN,” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion to concur with the “feature shown” determination in FS-M14-4, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 11-0. Commissioner Sargeant was not present for the vote.

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SEA 01-M-036-02 – PINECREST SCHOOL, INC. (Decision Only)
(Public Hearing held on May 1, 2014)

Commissioner Hall: Last week, we had an application, SEA 01-M-036-02, Pinecrest School, and there were many, many people out here and it was wonderful because most of them chose to just stand and support the application and not speak, which I always appreciate. Therefore – oh, and I will say that I want to thank staff and the applicant for working diligently this week and

addressing the concerns of the Commission and issuing the revised development conditions, which are now dated May 7th, 2014. Therefore, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA 01-M-036-02, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED MAY 7TH, 2014.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? Mr. Flanagan?

Commissioner Flanagan: Yes, thank you, Mr. Chairman. I'm going to support the motion, but I did contact staff during this week and asked them about the issue that I had raised at the public hearing about busing as a final resort -- as a transportation solution of last resort, I guess. And it's on -- I don't -- the pages are not -- yes, page 5 of the revised conditions that -- under Monitoring, its subparagraph iii, which establishes the busing, use of buses as a last resort. And we haven't made any changes to that particular provision, but one of the things which I want staff to, you know, comment upon is the fact that buses -- from the site plan it didn't appear that buses would be able to make all the turns, you know, if they finally used buses, as the site plan. And I don't know whether we determined whether buses can make those turns or whether they would have to use smaller shuttle buses.

Michael Lynskey, Zoning Evaluation Division, Department of Planning and Zoning: Yes, this is Mike Lynskey from the Department of Planning and Zoning, and I did hear that concern and we at staff, we did not do a turn analysis on that. I believe the applicant might have mentioned at the last hearing that they had looked at that. I'm not 100 percent certain. But as the condition stands now, there's no proposal for busing at this point in time, so I think if that were to come into effect in the future those kind of details could be worked out with FCDOT prior to the -- they would have to work out an arrangement for busing with all those kinds of details, and that could be worked out in the future.

Commissioner Flanagan: So in the event that that does occur, why, the type of buses will be downsized to be able to negotiate the turns, if that's warranted.

Mr. Lynskey: Yes, that's one option, or --

Commissioner Flanagan: I think we have a comment, coming down.

Chairman Murphy: Well, let's -- we're on verbatim now. Ms. Strobel, can you clarify this please, quickly, so we can move ahead.

Commissioner Hall: Not too quickly, with a broken leg.

Chairman Murphy: Not too quickly with the cast on your leg.

Lynne Strobel, Esquire, Walsh, Colucci, Lubeley, Emrich & Walsh, PC: Thank you, Mr. Chairman, members of the Planning Commission. Again, my name is Lynne Strobel. I represent the applicant. The school would use smaller buses. They have a 23-passenger bus and the civil

engineer did take a look at that in the context of the layout and all those radiuses would be able to accommodate that bus. Thank you.

Chairman Murphy: Okay. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 01-M-036-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hall.

Commissioner Hall: Thank you, Mr. – thank you, Mr. Chairman. I was remiss to start my motion without addressing the one letter we did receive from Mr. Dietz. Although it was quite a lengthy letter, his concern had to do with, specifically – what is that called? It's something from transportation and, if Mike, if you will address that very quickly so that he knows that we responded to his letter and that we considered it.

Mr. Lynskey: Sure. I think that Mr. Dietz's concern was that the applicant did not have to perform a Chapter 870 VDOT Transportation Impact Analysis. I think he – he was a little mistaken in that he was under the impression that they were – they requested some sort of exemption from that and they did not. They actually submitted the application, as normal, and they just did not meet the threshold – trip threshold to trigger a transportation impact analysis by VDOT which, there's a trip threshold of something like 5,000 trips a day. So the majority of these types of cases that come through here do not meet that threshold. But the application was reviewed by VDOT and by FCDOT and it wasn't exempt from any kind of – from the normal transportation review that happens on these sorts of cases.

Commissioner Hall: Thank you, Mr. Chairman. I just wanted to make sure that got on the record because a letter was also sent to the Board, and I wanted them to know that we had looked at it and it was addressed. So, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENTS, PER SECTION 13-305, PARAGRAPH 3, ALONG THE NORTH AND WEST BOUNDARIES TO UTILIZE THE EXISTING AND PROPOSED VEGETATION, AS SHOWN ON THE SE PLAT AND AS CONDITIONED.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: And last but certainly not least, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE LOADING SPACE REQUIREMENTS FOR THE PRIVATE

SCHOOL OF GENERAL EDUCATION AND CHILD-CARE/NURSERY SCHOOL USES, PER SECTION 11-202, PARAGRAPH 3B, IN FAVOR OF ONE 15-FOOT BY 25-FOOT BUS PARKING SPACE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. SE 2013-MA-002 – TD BANK, NATIONAL ASSOCIATION
2. CSPA 2008-MD-003 – WRI HILLTOP VILLAGE, LLC
3. SEA 78-D-075-02 – CROWN REAL PROPERTIES, LC
4. PA 2013-CW-3CP – COMPREHENSIVE PLAN AMENDMENT (GREEN BUILDING POLICY PLAN AMENDMENT)

This agenda was accepted without objection.

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SE 2013-MA-002 – TD BANK, NATIONAL ASSOCIATION –
Appl. under Sect. 4-504 of the Zoning Ordinance to permit a drive-in financial institution. Located at 6566 Little River Tnpk., Alexandria, on approx. 29,408 sq. ft. of land zoned C-5 and HC. Tax Map 72-1 ((1)) 20E. MASON DISTRICT. PUBLIC HEARING.

Lori Murphy, Esquire, Agent's Applicant, Bean, Kinney & Korman, PC, reaffirmed the affidavit dated April 22, 2014.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Ms. Murphy's law firm in which there were attorneys representing an adverse party, but indicated that it would not affect his ability to participate in this case.

Commissioner Hall asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, she asked that presentations by staff and the applicant be

waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on this case.

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Chairman Murphy: The public hearing is closed; recognize Ms. Hall.

Commissioner Hall: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE 2013-MA-002, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED MAY 6, 2014.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2013-MA-002, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A WAIVER OF THE LOADING SPACE REQUIREMENTS FOR A DRIVE-IN FINANCIAL INSTITUTION USE.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND A MODIFICATION OF PART 8 OF SECTION 11-102 OF THE ZONING ORDINANCE TO ALLOW A FOUR-FOOT PARKING SETBACK ALONG LITTLE RIVER TURNPIKE, AS SHOWN ON THE SE PLAT, IN LIEU OF THE TEN-FOOT SETBACK REQUIREMENT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Discussion? All those in favor of that motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: Just made me cough. I MOVE THAT THE PLANNING COMMISSION RECOMMEND A MODIFICATION OF PARAGRAPH 5 OF SECTION 11-104 OF THE ZONING ORDINANCE, TO ALLOW A SIX- AND FOUR-STACKING SCHEME, AS SHOWN ON THE SE PLAT, IN LIEU OF THE EIGHT- AND TWO-STACKING REQUIREMENT.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Each motion carried by a vote of 12-0.

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CSPA 2008-MD-003 – WRI HILLTOP VILLAGE, LLC –
Appl. under Sect. 12-210 of the Zoning Ordinance to amend the previously approved Comprehensive Sign Plan associated with RZ 2008-MD-003 to permit sign modifications. Located at 7940, 7944, 7950, and 8000 Telegraph Road, Alexandria, on approx. 31.87 ac. of land zoned PDC and NR. Tax Map 100-1 ((1)) 9A, 11A, 11A1, 14, and 15. LEE DISTRICT. PUBLIC HEARING.

Commissioner Migliaccio asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Migliaccio for action on this case.

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Chairman Murphy: The public hearing is closed; recognize Mr. Migliaccio.

Commissioner Migliaccio: Thank you, Mr. Chairman. This is a simple amendment to the existing sign plan to allow the flexibility needed for the Wegman's shopping center as they fill storefront with new tenants. Therefore, I MOVE THAT THE PLANNING COMMISSION APPROVE CSPA 2008-MD-003, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 1, 2014.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Sargeant. Discussion? All those in favor of the motion to approve CSPA 2008-MD-003, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

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SEA 78-D-075-02 – CROWN REAL PROPERTIES, LC –
Appl. under Sect. 4-704 of the Zoning Ordinance to amend
SEA 78-D-075, previously approved for a vehicle sale, rental,
and ancillary service establishment to permit building additions,
site modifications, and associated modifications to site design and
development conditions. Located at 8602 and 8610 Leesburg Pike,
Vienna, on approx. 8.72 ac. of land zoned C-7 and HC. Tax Map
29-1 ((1)) 15 and 16. PROVIDENCE DISTRICT. PUBLIC
HEARING.

Lynne Strobel, Esquire, Agent's Applicant, Walsh, Colucci, Lubeley, Emrich & Walsh, PC,
reaffirmed the affidavit dated April 24, 2014.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Ms.
Strobel's law firm in which there were attorneys representing an adverse party, but indicated that
it would not affect his ability to participate in this case.

Suzanne Lin, Zoning Evaluation Division, Department of Planning and Zoning, presented the
staff report, a copy of which is in the date file. She noted that staff recommended approval of the
application.

Commissioner Lawrence referenced Development Condition Number 9, regarding continued
access through the private roadway between Parcels 15 and 16, and asked if the applicant
accepted the condition. Ms. Lin said yes.

Ms. Strobel explained that the property had been improved for quite some time and had a car
dealership onsite for many years. She stated that the purpose of the application was solely to
improve the existing use, thereby improving the service for its existing customers. She added that
the application had staff's support and that the applicant had agreed with the development
conditions; and thus requested the Planning Commission's support.

Commissioner Lawrence asked if the onsite car wash facility would be open to the public. Ms.
Strobel said that it was for customers only. When Commissioner Lawrence asked if the applicant
would agree to a development condition specifying that they have a water-efficient car wash, Ms.
Strobel agreed and said that she believed the car wash would include a water recycling system
that would allow up to 80 percent of the water to be reused. She also noted that the language
would be ready prior to the hearing before the Board of Supervisors.

Chairman Murphy called for speakers from the audience, but received no response. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Lawrence for action on this item.

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Chairman Murphy: The public hearing is closed; recognize Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SEA 78-D-075-02, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED MAY 5TH, 2014, AS WILL BE AMENDED PER OUR DISCUSSION TONIGHT.

Commissioners de la Fe and Hedetniemi: Second.

Chairman Murphy: Seconded by Mr. de la Fe and Ms. Hedetniemi. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 78-D-075-02, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Lawrence.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENTS ALONG THE NORTHERN PROPERTY BOUNDARIES IN FAVOR OF THE LANDSCAPING DEPICTED ON THE SEA PLAT.

Commissioners de la Fe and Hedetniemi: Second.

Chairman Murphy: Seconded by Mr. de la Fe and Ms. Hedetniemi. Is there a discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A MODIFICATION TO THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENTS IN FAVOR OF THE LANDSCAPING DEPICTED ON THE SEA PLAT.

Commissioners de la Fe and Hedetniemi: Second.

Chairman Murphy: Seconded by Mr. de la Fe and Ms. Hedetniemi. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Lawrence: Lastly, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A WAIVER OF THE COMPREHENSIVE PLAN'S MAJOR PAVED TRAIL REQUIREMENT ALONG LEESBURG PIKE IN FAVOR OF THE EXISTING SIDEWALK.

Commissioners de la Fe and Hedetniemi: Second.

Chairman Murphy: Same seconds. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Each motion carried by a vote of 12-0.

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PA 2013-CW-3CP - COMPREHENSIVE PLAN AMENDMENT (GREEN BUILDING POLICY PLAN AMENDMENT) - Proposes revisions to the Policy Plan: The Countywide Policy Element of the Comprehensive Plan for Fairfax County, Virginia 2013 Edition, as amended through 3/4/2014, guidance related to Green Buildings. The scope of the revisions includes added references to examples of green building technologies; support for the option to collect energy and water usage data for performance monitoring; a clarification of acceptable rating systems and a definition of what is to be considered as an equivalent system; support for linking higher levels of development intensity and density with an expectation for greater commitments to green building certification; updated residential rating system definitions; addition of Industrial Areas to the areas of the county with green building certification commitment expectations; flexibility to consider options for geographic limitations for green building certification expectations; guidance for green building commitments for projects in public-private partnerships; support for alternative fuel vehicles and infrastructure; and minor grammatical changes. COUNTYWIDE. PUBLIC HEARING.

Maya Dhavale, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Commissioner Hart announced his intent to defer the decision on this amendment at the end of the public hearing.

Chairman Murphy called for speakers from the audience and recited the rules for testimony.

Linda Burchfiel, 1605 Maddux Lane, McLean, spoke in support of the Amendment; however, she said that the county's recommendation to expand the number of available energy rating systems should be reconsidered since existing standards, such as ENERGY STAR[®], were sufficient and would provide more immediate and direct benefits to building occupants. She added that the same standards would pertain to the recommendation for collecting energy and water usage data and performance monitoring, pointing out that the ENERGY STAR[®] Portfolio Manager's data base included 40 percent of the commercial properties in the country and would be very useful for comparison purposes.

Commissioner Sargeant referenced the fifth bullet under Recommendations on page 7 of the staff report, regarding the addition of support for solid waste and recycling management practices, and asked how "recycling" was defined in relation to solid waste. Ms. Dhavale referenced the last bullet under Objective 13, Policy a, on page 9 of the staff report, and said there was no specific definition for the term in this case; however, she said that the recommendation was the result of discussions with representatives from the Solid Waste Division of Department of Public Works and Environment Services (DPWES); discussions on the Tysons Urban District and how to address waste removal in smaller urban areas; and the realization that nothing was mentioned about recycling in terms of the waste stream internal to a building in the Comprehensive Plan's Policy Plan. When Commissioner Sargeant asked about external building material waste removal/recycling, Ms. Dhavale explained that Policy a did not address external waste removal or recycling; however, several rating systems, including LEED, did. Commissioner Sargeant suggested that it be specifically addressed, to which Ms. Dhavale said that Policy a might very broadly cover external materials.

Noel Kaplan, PD, DPZ, pointed out that the seventh and eighth bullets on page 8 under Policy a addressed the external materials. Commissioner Sargeant, however, asked whether something might be added to more specifically promote construction debris recycling, pointing out that there was more active language on page 10 of the staff report, wherein the language specifically said, "promote" and "encourage" in the recommendations. Ms. Dhavale said yes.

Commissioner de la Fe pointed out that the language in Policy a began with, "Encourage all of..." the recommendations that followed afterward and questioned the need for more specific language. Commissioner Sargeant countered that it would be helpful to have a separate recommendation to better encourage developers to recycle construction demolition waste.

Commissioner Hart stated that while broad, Objective 13 and Policy a covered the construction phase, which included removal and/or recycling, and pointed out that both paragraphs currently

existed in the Policy Plan. He added that language was not currently in the Policy Plan; however would now be added as an encouragement to recycle the solid waste internal to the building.

Commissioner Flanagan suggested revising the language in Objective 13 to address Commissioner Sargeant's concern.

Commissioner Lawrence asked Ms. Burchfiel to submit her written statement for the Planning Commission to review during the deferral period.

Commissioner Sargeant asked Mr. Kaplan if DPWES had submitted a study wherein it was suggested that a stronger emphasis be placed on construction debris recycling, to which Mr. Kaplan said he would find out. Commissioner Sargeant suggested that it might be helpful to encourage a more specific sentence or bullet point to address the promotion of construction demolition debris recycling as a green building strategy.

Commissioner Flanagan noted that the Virginia Department of Environmental Quality required that 25 percent of debris must be recycled and suggested that this requirement be taken into consideration during the deferral period.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hart for action on this case.

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Chairman Murphy: The public hearing is closed; Mr. Hart.

Commissioner Hart: Thank you, Mr. Chairman. Seven years ago, I think, I had a follow-on motion when we first adopted the Green Building Policy, and I thought, "let's check things in a couple years, after we've had a few cases under our belt." And the Board went along with the two-year review and kicked it back to us to do that, and we're now five years into the two-year review, and this has taken on a life of its own. We don't have a Board date until July and, I think, given the complexity of the comments tonight and just the we've been vetting every word and every comma for five years, another week isn't going to hurt anything and, if we need a little more time after that, we'll revisit that. But I do want to say it's remarkable and I never, ever would have thought five years ago, the way this started – and we had some very heavily attended, very, very substantive meetings which engaged the community on a very detailed level, and we had significant participation in the committee meetings and the workshops. There was incredible outreach by staff on some very technical points. And we had this big, big buildup for tonight and we had one speaker and one set of written comments – which were substantive comments and, I think, we're going to listen to them – but I never - I never would have thought five years ago that it would have all ended so quietly and neatly like this. I don't want to jinx it, but I would not have – I would not have said one speaker and... I would have lost. With that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER DECISION ON THE PROPOSED PLAN AMENDMENT 2013-CW-3CP TO A DATE CERTAIN OF MAY 14,

2014, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENT.

Commissioner Hall: Second.

Chairman Murphy: Seconded by Ms. Hall. Is there a discussion of the motion? All those in favor of the motion to defer decision on PA 2013-CW-3CP to a date certain of May 14th, with the record remaining open for comment, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

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The meeting was adjourned at 9:42 p.m.

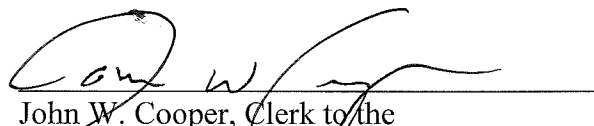
Peter F. Murphy, Chairman

Janet R. Hall, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jeanette Nord

Approved on: November 20, 2014



John W. Cooper, Clerk to the
Fairfax County Planning Commission